G. R. S. IX-5]

Previous references.

File No. 475-16

1917.

Serial Nos. 1 – 4

(Muzzaffar)

Later references.

Agency 372.38.(1,2,5-7)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 – 4

Part B for September 17

SUBJECT.

Muzawar's Post of the Dargah at Mulbagal

No 768 dt 25-9-17

To. The Dy Commr. Kolar &c

forwarded copy of the order passed

768 dt 25-9-17

Endt. to Kasim Sab & Anjanulab

Reserve

W D 88—GPB—50,000—24-7-16

M.V. Lakshmanarao

1916

GENERAL AND REVENUE SECRETARIAT.

(Muzrai)

NOTES.

File No. 475/1916

FILE HEADING.

Muzarai's post of Mullagal Darga,

From

Kasim Sab and Imam Sab, muzarars.

No Petition Dated Received 21.2.17

Diary No.	Enclos /	Spare Copies.	Serial No. /
1369			

BRIEF ABSTRACT OF LETTER.

X Appeal against the Dy. Comrs order directing that the muzarai's post in the name of the deceased Kulusumbi, be made registered in the name of her Dowhitra Tippu Mastan - respondent before Court.

NOTES AND ORDERS.

X
Date of order 9/12/16
Date of appeal 17/2/17

The appeal petition is duly stamped and the appeal is within time. It may be admitted.

2 The Dy. Comrs order says that after the death of the late muzarai Hyder Sab

Dg. X
(A/9.12.16)

NOTES—First Sheet

GPB—20,000—8-8-11

MD 1233—GPB—60 000—1 12-16—S.

General and Revenue Secretariat.

File No. 43 of 1916.

Serial No.

The post was conferred upon his widow Kulusambi, who has been setting the duties performed by the apt as her sumastha, and has been receiving its perquisites for over 30 years. Kulusambi is dead and the Dy. Commr has ordered that the barawad be made out in the name of her grand-son and Dharmakarta Nippani mastan who is said to have performed her obsequies and inherited her properties as her heir.

3 Against this order, Kasim Sab and Imam Sab muzavers of the Dargah have appealed to Govt. They contend that Mahmedan Law of inheritance is applicable to the case in point & the office devolves by custom and usage prevailing, and that it is customary for the office being held by a male member belonging to the Stock of the previous mazavars.

4 They pray that on a perusal of the records connected with the case, the order appealed against may be cancelled and that the execution of the Dy. Commrs. order may be stayed pending the final disposal of the appeal.

Submitted for order.

W (QW)
6.3.17

NOTE—Contn sheet

1387
Vol 3

ND 1233—GPB—60,000—1-12-16—S.

General and Revenue Secretariat.

File No. 475 of 1916.

Serial No.

There seems to be no good grounds for the issue of a Stay order. May the records be called for?

Ans
7/3/17

Yrs
Lee
10.3.17

Submd. with AJS: Trapp
AV(GW)
12.3.17

Ans
12/3/17

2 No. 2203 dt 15.3.17, from Dy Comrs, Kolar to the above for early report.

3. From, Dy Comrs, Kolar No. Letter no. 1660 dt 19.6.17

Reports that for reasons stated, the muzarai post was ordered to be made out in the name of Kulumbi's daughter's son Dipak Master in preference to the applts.

The Dy. Comrs. report explains the facts of the case.

May the case be posted for hearing?

AV(GW)
26.6.17

Ans
26/6/17

Seen)

Yrs. Pal.
Lee
28-6-17

NOTE—Contn. sheet.

ND 1283—GPB—60,000—1-12-16—S.

General and Revenue Secretariat.

File No. 421 — of 1916

Serial No.

Submitted with notices to the 10th July

AV (S&J) 29.6.17 — anss 29.6.17 — appl 29.6.17

The appellants claim that the paternal uncle's Son of Kulsum Bi's husband. It is borne out by the remarks Record

Has any evidence been led in regarding the exclusion of Women from the Mujavar's place. Has the Mujavar any religious duty or is he only a caretaker

Under the Mahomedan Law apart from precedence of ulterine relations over whole daughter's Sons come but the claims of the Appts would appear to be barred by acquiescence.

The Asst Secy will please study and put up a note for members perusal

Sd
6.7.17

1) The appellants are paternal uncle's Sons of Kulsumbi's husband (Kulsumbi's petn of 17.2.11, Asst Collr's rept of 3.2.13, Mahazar of 1.6.14)

2) The Mujavar has to be a male (Copy of Asst Collr's rept of Nov'06, para 2 of DC's letter of 27.11.07

NOTE—Contn. sheet.

WD 1283—GPB—60 000—1 12-16—5

R. S. 111-2]

General and Revenue Secretariat.

File No. 475 of 191 6

Serial No.

Kalazar of 1614)

3) The Kuzavar has to appeal at Salekas, he is not hereby a "caretaker" (vide. Chap XII Kuzavar Manual)

4) The appellants are not agnates of Kulsumbai but only of her husband; Kulsumbai's daughter's son comes under heading "distant kindred" while appellants do not come under heirs of any description. In this case however, Special Usage in favour of male relatives is urged.

5) The record of transfer to Kulsumbi's name is not available. The Dy Com. in his present order, presumes acquiescence from the fact of Kulsumbi's name being on the karavand and not the appellants'. — Govt. No 477 S 25/05 to Kulsumbai stating that the question of transfer of kab does not arise during her lifetime in the previous reference in the subject.

Sd/-
12/7/17

(Vice President)

Parties present. Mr N Narasimhaiengar for appts and Mr Shama Rao for respondent case heard and orders reserved.

Sd/-
17/7

276/21.7

Returned To Br III

NOTE—Contn. sheet

WD 1238—GPB—60,000—1 12-16—S.

Serial No.

[illegible]

G. R. S. III-2]

General and Revenue Secretariat

File No. 475 of 191 6

Serial No

appl
Issue No 15-9-17

4 v: 768 dy 25-9-17, to Mr de
y Kolar, ds been a cely of
y.o in the case reholding
the action of the dc in the matter
dismissing the appeal.
NO: 769-TOR 25-9-17, dispos
the above to the appels &

NOTE—Contn. sheet.

7/2/17

1389

16-17

Mesr

475-16

18 and
answer
24/7/17

In the Court of the Commissioners ——— !

at Sri Srijaya the Inchargeship Judge
in the Inspection Department

Inspection Appeal No. 7/16/17

In the Court of the Deputy Commissioner Krishna District

Suit No. 837 of 9-12-16. O.C. 1959

Appellants. — v. Respts.

1. Khasam Sab — Jeppu Mastan
2. Imam Sab — Excise Sub Inspector
Inspectors of Duties
Residents of Machilipatnam — Respondent for Prosecution

The Appellants above named beg to prefer this Appeal to this Hon'ble Court against the order of the Deputy Commissioner Krishna District dated 9-12-16 on the following among other grounds: ———

1. That the Appellants were Inspectors of the Ancient Durga in Machilipatnam from which it is a Inspection Institution getting Rs 40/- which is being distributed in shares of the many hereditary doing duty by them.

That one Seyed Sab was one of the many Inspectors entitled to get ~~but~~ Re 1-10-2 per month and died more than 30 years ago & his widow Kulsum Bi's name was entered after above said

amount to be delivered to her for her maintenance, the duties however being performed by the Appellants ever since the death of Hyder Sahib about 30 years ago, they being the said Hyder Sahib's own paternal uncle's sons.

3. That the said Khadeem Bi died in the year 1903 to get her daughter's son Sheppa Mastan's (Respt.) name entered in her place, but an objection taken by the Appellants, her attempt did not succeed.

4. That at the time of Hyder Sahib death, Rs 1-10-2 to Khadeem Bi for her maintenance, she however having nothing to do with either the right to the office of Mujawar or the performance of its duties being a woman.

5. That it has never been the case that ever since the foundation of the Durga 900 or 1000 years ago that any woman by holding the office or performing the duties of Mujawar or claimed any right thereto, & it has always been customary for the said office to be held by a male member belonging to the stock of the previous Mujawar

6. That, it admitted so when appears that the Respt. Appellants

were appointed Guardians for Khadim Bi
& any other of the petitioners subject to the
control of the learned Deputy Commissioner
concerned & must support & maintain
anything on the record.

7. That the office of Mutawalli is such
one that any incumbent can
make over by will or otherwise dispose
of in the manner that Khadim
Bi is stated to have done, nor is
it one that could devolve by
inheritance & that lastly the
application of the principle of Shiah
Law which we are come dream of
applying to Mohamedans. That
as a matter of fact the Applicants
have performed the obsequies of
the deceased Khadim Bi as they
were the persons that were entitled
and liable to perform it.

8. That the learned Deputy Commissioner
makes it evident that he has
applied Respts' claim on an
application of Shiah Law & not
of Mohamedan Law.

9. That even the Mohamedan
Law of Inheritance is non-applicable
to the present case, in as much
as the office ~~is~~ always devolves
by custom or usage prevailing

on the record surviving male member belonging to the stock of the previous incumbent & never in the female line

10. That for these foregoing reasons & others, the Applicants are the persons who have the right to file the Writ Petition, which may have defacto done after their demise the deceased Syed Ali 30 years ago.

11. That therefore the Applicants pray that the order of the learned Deputy Commissioner which is so much against Law & usage may be perused & the Applicants' claim upheld.

12. The Applicants further pray that pending disposal of this Appeal, an order may be issued to stay the operation of the order of the Deputy Commissioner applied against.

فقط

دستخط

مورخہ 1973ء

ಸ್ವೀಕರಿಸಿದ ಅಭ್ಯರ್ಥಿಗಳು ಪ್ರಾಥಮಿಕ ಪರೀಕ್ಷೆಯಲ್ಲಿ ಅರ್ಹತೆ ಪಡೆದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಮಾತ್ರ ಪ್ರತ್ಯೇಕವಾಗಿ ಪತ್ರ ಕಳುಹಿಸಲಾಗುವುದು. ಪ್ರಾಥಮಿಕ ಪರೀಕ್ಷೆಯಲ್ಲಿ ಅರ್ಹತೆ ಪಡೆದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಮಾತ್ರ ಮುಖ್ಯ ಪರೀಕ್ಷೆಯ ಪ್ರವೇಶ ಪತ್ರವನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿ ಕಳುಹಿಸಲಾಗುವುದು. ಪ್ರಾಥಮಿಕ ಪರೀಕ್ಷೆಯಲ್ಲಿ ಅರ್ಹತೆ ಪಡೆಯದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಮುಖ್ಯ ಪರೀಕ್ಷೆಯ ಪ್ರವೇಶ ಪತ್ರವನ್ನು ಕಳುಹಿಸಲಾಗುವುದಿಲ್ಲ. ಪ್ರಾಥಮಿಕ ಪರೀಕ್ಷೆಯಲ್ಲಿ ಅರ್ಹತೆ ಪಡೆಯದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಮುಖ್ಯ ಪರೀಕ್ಷೆಯ ಪ್ರವೇಶ ಪತ್ರವನ್ನು ಕಳುಹಿಸಲಾಗುವುದಿಲ್ಲ. ಪ್ರಾಥಮಿಕ ಪರೀಕ್ಷೆಯಲ್ಲಿ ಅರ್ಹತೆ ಪಡೆಯದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಮುಖ್ಯ ಪರೀಕ್ಷೆಯ ಪ್ರವೇಶ ಪತ್ರವನ್ನು ಕಳುಹಿಸಲಾಗುವುದಿಲ್ಲ. ಪ್ರಾಥಮಿಕ ಪರೀಕ್ಷೆಯಲ್ಲಿ ಅರ್ಹತೆ ಪಡೆಯದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಮುಖ್ಯ ಪರೀಕ್ಷೆಯ ಪ್ರವೇಶ ಪತ್ರವನ್ನು ಕಳುಹಿಸಲಾಗುವುದಿಲ್ಲ. ಪ್ರಾಥಮಿಕ ಪರೀಕ್ಷೆಯಲ್ಲಿ ಅರ್ಹತೆ ಪಡೆಯದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಮುಖ್ಯ ಪರೀಕ್ಷೆಯ ಪ್ರವೇಶ ಪತ್ರವನ್ನು ಕಳುಹಿಸಲಾಗುವುದಿಲ್ಲ. ಪ್ರಾಥಮಿಕ ಪರೀಕ್ಷೆಯಲ್ಲಿ ಅರ್ಹತೆ ಪಡೆಯದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಮುಖ್ಯ ಪರೀಕ್ಷೆಯ ಪ್ರವೇಶ ಪತ್ರವನ್ನು ಕಳುಹಿಸಲಾಗುವುದಿಲ್ಲ. ಪ್ರಾಥಮಿಕ ಪರೀಕ್ಷೆಯಲ್ಲಿ ಅರ್ಹತೆ ಪಡೆಯದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಮುಖ್ಯ ಪರೀಕ್ಷೆಯ ಪ್ರವೇಶ ಪತ್ರವನ್ನು ಕಳುಹಿಸಲಾಗುವುದಿಲ್ಲ.

ಕೋರ್ಟಿಗೆ.

1916– 17 ನಂಬರು. 26

ವಾದಿ. ಪ್ರತಿವಾದಿ.

vs.

ಮ॥ ರಾ॥.....ಯವರಿಗೆ.

ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮಾ.

ಈ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಚ್ಯೆರುವರಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ಜರಗಿಸಲಿಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರ್‌ನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣ ವಸೂಲುಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗುವ ಡಿಕ್ರಿ ಮೊಬಲಗು ಎಲ್ಲುಮೊಲಗು ಸಹಾ ಪಡಿಯಲಿಕ್ಕೂ, ನನಗಾಗಿ ರೀಫಂಡ್ ಆಗತಕ್ಕ ಸ್ಟ್ಯಾಂಪನ್ನು ಪಡಿಯಲಿಕ್ಕೂ ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸುಪಡಿಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ತ್ಯಾನ ಲಾಯರಾಗಲಿ ಡಿಟೊ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಒದ್ದನಾಗಿ ಇದ್ದೇನೆ.

ತಾರೀಖು ರುಜು.

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಿಗೆ ಪರಿಜಯ ಸ್ತರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿದ್ದೇನೆ.

ಈ ಫಾರಂ ಬೆಂಗಳೂರು ಸಿಟಿ ಚಿಕ್ಕಪೇಟೆ ೨೬೬ ನೆ ನಂಬರು ಷಾಪ್‌ಕೀಪರ್ (ಹೆಚ್. ಬಿ. ಚಿಕ್ಕಣ್ಣಶೆಟ್ಟರಲ್ಲಿ) ದೊರೆಯುತ್ತೆ.

V. Sangha Press, Bangalore City.

Drawn by M.D. Lakshmana Rao
die P.O. 28/17

Before the Government of H.H. the Maharaja of Mysore, at Bangalore

ಕೋರ್ಟಿಗೆ

1916 — 17 ನೇ Miscellaneous Appeal No 26 ನಂಬರು.

Appellants
~~ಮಾದಿಯಾ ಅರ್ಜೀದಾರ್~~.

1) Khasim Sab

2) Imam Sab

Respondents
ಪ್ರತಿವಾದಿ ಯಾ ಅಪ್ಪೋನೆಂಟ್

Tippu Mea, Hem

{ vs. }

ಮಾ॥ ರಾ॥ಡಿ. ಶಾಮರಾವು ಬಿ. ಎ. ಯೆಲ್. ಯೆಲ್. ಬಿ ಅಡ್ವೋಕೇಟ್ ಯವರಿಗೆ.
2, the respondent.

ಒರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮಾ.

ಈ ಮೊಕದ್ದಮೆ ಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಯ್ಕೆರುವರಿವಿಗೂ ಕೋರ್ಟ್‌ನಲ್ಲಿ ನಿವಾದ ಜರಗಿಸುವದಕ್ಕೂ, ನನ್ನಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣವಸೂಲು ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ,ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗುಸಹ ಪಡಿಯಲಿಕ್ಕೂ, ದಸ್ತೈವಜುವನ್ನೈರೆಗಳನ್ನು ವಾಪಸುಪಡಿಯುಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಥೇನೆ ಅಲ್ಲವೆ ತಾವಾಗಲಿ ಯಾ ತಮ್ಮ ಕೋಸ್ಕರ ನ್ಯಾಯವಾದಿಯಾಗಲಿ ಡಿಟೋ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಒದ್ದನಾಗಿ ಇಥೇನೆ

ತಾರೀಖು 14.7.17

ರುಜು

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ತರಾಗಿ ಸಮಕ್ಷಮ ರುಜುಮಾಡಿರುತ್ತಾರೆ.

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇಥೇನೆ.

D Shama Rao
Advocate

Navaratna & Sons, Bangalore City

GEN. & REV. SECRETARIAT.
TYPING Sec.
14 MAR 1917

GOVT. OF H. H. THE MAHARAJA
OF MYSORE.

GEN. & REV. SECRETARIAT.

OFFICIAL MEMORANDUM.

No 2283 Exec. D
mm 475-16-2

The accompanying Petition Registered 15/3/1917
No 1389 dated 21.2.17
received at the General and Revenue
Secretariat from Kadir Sab and
Imam Sab, Muzavars of
The Mulbagal Darga appeal
ing against the Dy. Commrs.
order directing that the
muzavar's post in the
name of the deceased
be registered in the name
of her grand-son Tippu
Mastan,

with compliments are
is forwarded, together with its enclosures,
to the Dy. Commr
Kolar Dist

for favor of
an early report with
records,

By Order,

Gs 12/3/17
Secretary.

BANGALORE,
191 .

P. T. O.

W D 882 -GPL—1 000—10 11 15

2284 ಪ್ರ 15. 3

ಅರ್ಜಿದಾರ _____ತಾಲ್ಲೂಕು
_____ಹೋಬಳಿ
_____ಗ್ರಾಮದಲ್ಲಿರುವ
_____ಸರ್ವೆ ನಂ _____

ಇಂಡಾರ್ಸ್ ಹುಕುಂ.

_____
_____
_____
_____
_____
_____
_____

ಇಷ್ಟರಲ್ಲಿ ನೀವು ಗುಜರಾಯಿಸಿಕೊಳ್ಳುವುದು 21.2.17

ಸಂಬಂಧಿಸಿದ ಅರ್ಜಿಯನ್ನು _____ ಬಗ್ಗೆ
_____
_____ರವಕ ಬಳಿಗೆ ಕಳುಹಿಸಿದೆ.

ಬೆಂಗಳೂರು

By Order,

Secretary

14/2/17

W.D.-0744—GPB—6,00,000—19 5 16—S.

191

From 22 JUN 1917

The Deputy Commissioner,
Kolar District.

To

The Joint Secretary to the
Government of Mysore,
Revenue Department,
Bangalore.

Dated

Despatched

Received

General No

No.
475-16-2-17.
5/15 Enclosure No. File of

Submitting a report on the petition of Khasim Sab & Imam Sab, Muzavars of the Nulbagal Darga appealing against the Dy. Comr's order directing that the Muzavar's portion the name of the deceased Kulsumbi be registered in the name of her grandson.

GENERAL SECRETARIAT.
VII
MYSORE
22 JUN 1917
DIARY NO 2043
to 16.17
SECT. 475-16
3

Deputy Commissioner's Office,

Kolar District,

Dated Kolar, the 19th June 1917.

From

B. Venkoba Rao, Esquire., B.A.,

Offg Deputy Commissioner, ——, Kolar District.

To

G. Aravamudu Iyengar, Esquire.,B.A.,B.L.,

Joint Secretary to the Government of Mysore,

Inam Department, Bangalore.

Sir,

With reference to your Official Memorandum No.2683/Muz. 4-10-3 dated 1st March 1917, calling for report on the petition of -- Khasim Sab and 1 other, Mujawars of the Muhigal Darga, appealing against the cancellation of Muzavar's pos, in the name of the deceased -- Kulsumbi and ordering it to be made in the name of Tippu Mastan, I have the honor to submit herewith the entire file of connected correspondence dealing with the Malur Sub Division Officer's Cadi No.1430 dated 11th May 1916, on the above noted.

2. It is admitted that one Kulsumbi was a registered nakadar Muzavar and her name was registered more than 50 years ago when her husband died. The petitioners though they were competent enough to succeed to the office of the deceased (Kulsumbi's husband) tried to dress their claim to the office of registering Kulsumbi's name, who was receiving her pay or allowances for over 50 years. The petitioners are the divided -- members of the family.

It is also seen from the records that Kulsumbi applied to the Deputy Commissioner in 1905 and on the recommendation of the Amildar, Mr.K.B. Puttanna Chetty, the then Deputy Commissioner, sanctioned the -- transfer of registry of her name to the name of Tippu Mastan as prayed for by her. On further representation of the petitioners, orders were passed

by Government that the transfer of the registry should not be given effect to during her life time. Kulsumbi executed a will in the name of ~~the~~ Tippu Mastan bequeathing all her property to him and the document has been duly registered. As Kulsumbi was under the protection of Tippu Mastan who is her grand-son by her --- daughter and the property of the deceased is in the enjoyment of Tippu Mastan in accordance with the registered will, the registry of Tippu Mastan to the post of Muzavar in place of Kulsumbi (deceased) was ordered.

19.R(

I have the honor to be,

S i r,

Your most obedient servant,

For Deputy Commissioner,
Kolar District.

C.R.S.

Before the Government of His Highness the Maharaja of Mysore.

Appeal No. 25 of 1916 - 17

Appellant.

Kasim Sab and Imam ab, muzavars of the Darga at Mulbagal.

Respondent.

Tippu mastan of Sonbidanur.

Subject

Appeal against the order of the Dy Commr, Kolar District, directing that the muzavar's post of the Darga at Mulbagal in the name of the deceased Kulsumbi be registered in the name of her grand-son Tippu mastan

Decision

The case was heard before Government on 17th July 1917. The pa.tie

GPB—500—12-9-18

present in person
were represented through
their Advocates.

It is beyond dispute
that Kulsumbi's name was
registered as a hakdar ~~of~~
~~the~~ muzavar on the death
of her husband 30 years
ago. The appellants apparently
acquiesced in this, for, there
is nothing on record to show
that they pressed their
claims at the time.

The respondent who is a
daughter's son of Kulsumbi
was allowed to do the
duties of a muzavar
during her life time and
was registered as one of
the muzavars at her
request, after her death.
Both according to the
Mahmedan law and
decided cases, it has
been held that though
females are excluded from

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GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

holding any office, it does not necessarily imply that the male descendants of ~~the~~ female members, be excluded.

The order of the Dy Commr therefore, in registering the respondent as a successor to Kulusumbi in the barawad of Muzanar is correct and equitable. The appeal is dismissed.

Memo no. 768 dy

Copy to the Dy Commr, Kolaba Dist ~~dy~~, with the records received with his letter no. 1460 dy 19-6-1917

B. O.

18-9-17

DOP) ~~dy~~ joint Mug. secty.

17/9/17 ~~dy~~ 19.7.17

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GENERAL AND REVENUE SECRETARIAT.

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Joint Secy.

17/9/17 1917

No 770 dt 25.9.17

Excise Sub Inspector

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18.9.17

Joint Secy

17/9/17 1917